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May 5, 2020

VIA ECF

The Honorable Edward S. Kiel, U.S.M.J.
U.S. District Court for the District of New Jersey
Martin Luther King Jr. Bldg. & U.S. Courthouse
50 Walnut Street
Newark, New Jersey 07101

Re: ACP GP, LLC, et al. v. Motivational Coaches of America Inc., et al.
Docket No. 2:18-cv-13147

Dear Judge Kiel,

This firm represents plaintiffs, ACP GP, LLC and Alleon Capital Partners, LLC (“Plaintiffs”) in connection with the above-referenced action. Pursuant to the Court’s Order dated April 6, 2020 (the “Case Management Order”), the parties were to submit a joint status letter not later than three days prior to the conference currently scheduled for May 8, 2020 at 10:00 a.m.. A draft of this correspondence was provided to Mr. Arael for his review and comment, however, because no response was received, we respectfully submit this letter on behalf of Plaintiffs.

A. Pending Motions

As the Court is aware, Defendant Julio Arael (“Defendant”) filed a request to stay discovery in this matter on February 20, 2020 (Dkt. No. 52). Pursuant to the Case Management Order, Plaintiffs were permitted to respond to Defendant’s request on or before April 20, 2020, and, by way of letter on that date, Plaintiffs filed a letter in opposition to Defendant’s request (Dkt. No. 57). Defendant’s request remains pending as of the date of this letter.

Further, on December 16, 2019, Defendant filed a “Motion to Set Aside Orders DE 41 and D.E. 43 Pursuant to F.R.C.P. 60(a) and Motion to Reconsider Defendant’s Motion to Dismiss for Lack of Personal Jurisdiction, Improper Venue” (Dkt. No. 45), which Plaintiffs opposed on January 7, 2020 (Dkt. No. 46). In addition, Plaintiffs’ Motion for Default Judgment as against the corporate defendants (Dkt. No. 39) remains pending.

B. Status of Discovery

Following a status conference on January 29, 2020, the Court entered an Order permitting the parties to propound written discovery requests on or before February 28, 2020 (Dkt. No. 50). On that date, Plaintiffs served written discovery on Defendant by way of email and regular mail.

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Pursuant to the Case Management Order, responses to those written discovery requests are due on or before May 7, 2020. Defendant has not propounded any written discovery on Plaintiffs.

At this time, the parties do not anticipate any other issues requiring attention at the upcoming conference. We thank the Court for its attention to this matter.

Respectfully submitted,

s/ Stephen V. Falanga
Stephen V. Falanga

CC: Julio Avel (via Email)